

**From:** JMHynes@aol.com@inetgw  
**To:** Microsoft ATR  
**Date:** 12/17/01 7:27pm  
**Subject:** Microsoft Settlement

To the US DOJ:

For what it's worth, it is time for you to hear from the backbone of the US economic system - The small business owner. Below is a copy of an email that I sent to Microsoft. It was written from the culmination of many years of my frustration with attempting to use Microsoft's products. This direct lack of respect for customer service sent me over the edge. And so, I send this to you to read and understand that the economy will never realize the true efficiency gains from Microsoft software because we spend twice as much time as we save with it on the phone with poor customer service issues. Bottom line = If there was a competing operating system out there to which I could easily switch, I would be gone from Microsoft in an instant. Please negotiate a settlement that encourages better service and/or competition. If I receive a response from Microsoft, I will submit it for your review as well.

Respectfully submitted,  
John M. Hynes  
Partner  
Excidian, LLC

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To whom it may concern (Manufacturing/Engineering/whoever):

I own a small business. I purchased a computer from Gateway with your Millenium product on it and a FREE upgrade to Windows XP. Gateway tells me that I will have to wait for my upgrade until next spring even though they are shipping new computers with their OEM version of XP on it now. Microsoft customer support had a great deal of difficulty explaining this to me (I cannot believe you leave your customer service people hanging out to dry without the info to explain these problems), but from what I can understand, Microsoft tweaks each OEM version so that it runs correctly with each manufacturer's BIOS. I cannot believe that you cannot burn enough upgrade disks so that your OEM customer, Gateway, does not have to tell their customers that they will have to wait until the spring of 2002! Or, did you release the XP version before the bios designs were ready and now software engineering cannot keep up? Or, did Gateway run a promotion to keep selling computers and screw their customers that were stupid enough to buy a device with Millenium (and I write that branded product name with disdain)? Can someone at Microsoft explain why I will have to wait until the spring of 2002 for my upgrade from Millenium to Windows XP? I'm thinking right now that if there were competition for operating systems, this type of "glitch" would not

happen. If I could easily switch to a competing operating system right now, I would do it. I certainly would not run my small business like this. Show me your entrepreneurial spirit. Show me that you want to under promise and over deliver. Show me that you want to keep your customers happy enough so that no other competing operating system would be able to take customers from you. Show me that you care enough by letting Bill Gates read and answer this email. Better yet, send me my Gateway customized upgrade from Millenium to Windows XP!

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